

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 11-6462

MICHAEL JOSEPH WAGNER,

Petitioner - Appellant,

v.

J. MICHAEL STOUFFER, Commissioner; J. TROVILLIAN, Warden,

Respondents - Appellees.

Appeal from the United States District Court for the District of Maryland, at Greenbelt. Alexander Williams, Jr., District Judge. (8:10-cv-01944-AW)

Submitted: August 25, 2011

Decided: August 30, 2011

Before MOTZ, DUNCAN, and KEENAN, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Michael Joseph Wagner, Sr., Appellant Pro Se. Michael O'Connor Doyle, Assistant Attorney General, Baltimore, Maryland, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Michael Joseph Wagner seeks to appeal the district court's order denying relief on his 28 U.S.C.A. § 2241 (West 2006 & Supp. 2011) petition. We dismiss the appeal for lack of jurisdiction because the notice of appeal was not timely filed.

Parties are accorded thirty days after the entry of the district court's final judgment or order to note an appeal, Fed. R. App. P. 4(a)(1)(A), unless the district court extends the appeal period under Fed. R. App. P. 4(a)(5), or reopens the appeal period under Fed. R. App. P. 4(a)(6). "[T]he timely filing of a notice of appeal in a civil case is a jurisdictional requirement." Bowles v. Russell, 551 U.S. 205, 214 (2007).

The district court's final order was entered on January 12, 2011, and the notice of appeal was deposited in the prison's internal mail system on March 28, 2011. See Fed. R. App. P. 4(c); Houston v. Lack, 487 U.S. 266, 276 (1988). Because Wagner failed to file a timely notice of appeal, to obtain an extension, or to file a timely motion to reopen the appeal period, we dismiss the appeal. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED